

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

RE APPLICATION OF:

INVENTOR(S) : Viktors Berstis
APPL. NUMBER: 09/970,655
FILED: 10/04/2001
TITLE: Extracting
Information from
Software

GROUP ART UNIT: 2192
EXAMINER: Chuck O. Kendall

Docket Number: AUS920010938US1

Honorable Commissioner For Patents
PO Box 1450
Alexandria, Virginia 22313-14500

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Signed:

Robert V. Wilder

Name: Robert V. Wilder

Date: July 28, 2006

TRANSMITTAL OF APPEAL BRIEF

Enclosed herewith is an Appeal Brief for the above-identified application submitted in response to the Notice of Non-Compliance With 37 CFR 41.37 which was mailed 7/5/2006. In a telephone conversation with Ms. Monroe on July 27th, it was determined that Paragraph #2 of the Notice should have been checked instead of Paragraph #3. Also, the "Status of Amendments" paragraph in the Appeal Brief has been corrected pursuant to the above-identified Notice and the corrected Appeal Brief is submitted herewith.

Respectfully submitted,

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Attorney Docket No. AUS920010938US1

IN RE APPLICATION OF:

Viktors Berstis

Serial No. 09/970,655

Filed: October 4, 2001

For: Extracting Information
From Software

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Examiner: Chuck O. Kendall

Art Unit: 2192

APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This Brief is submitted in support of the Appeal in the above-
identified application.

CERTIFICATE OF MAILING
37 CFR 1.8(a)

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I. With regard to the rejection of claims 1-3, 5-13 and 16-24 under 35 USC 103(a) as being unpatentable over Misra in view of Kobus, it is respectfully submitted that there is no suggestion in either reference for the proposed combination and even the proposed combination cannot render the present invention obvious since even the hypothetical combination of references fails to suggest several of the recited features of the noted claims.	
	12
II. With regard to the rejection of claims 4 and 15 under 35 USC 103(a) as being unpatentable over Misra in view of Kobus and in still further view of Doherty, it is respectfully submitted that there is no suggestion in any of the references for the proposed combination and even the proposed combination cannot render the present invention obvious since even the hypothetical combination of references fails to suggest several of the recited features of the noted claims.	
	18
III. With regard to the rejection of claim 14 under 35 USC 103(a) as being unpatentable over Misra in view of Kobus and in still further view of Nabahi, it is respectfully submitted that there is no suggestion in any of the references for the proposed combination and even the proposed combination cannot render the present invention obvious since even the hypothetical combination of references fails to suggest several of the recited features of the noted claim.	
	19

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95 REAL PARTY IN INTEREST

96
97 The present application is assigned to International Business
98 Machines Corporation, the real party in interest.
99

100
101 RELATED APPEALS AND INTERFERENCES

102
103 There are no related Appeals or Interferences currently pending.
104
105

106 STATUS OF THE CLAIMS

107
108 Claims 1-24 are pending and stand finally rejected by the
109 Examiner as noted in the Final Office Action mailed April 6,
110 2006. The rejection of claims 1-24 is hereby being appealed.
111
112

113 STATUS OF AMENDMENTS

114
115 No Amendments have been filed subsequent to the Final Rejection
116 which was mailed on 4/6/06.
117
118

119 SUMMARY OF THE CLAIMED SUBJECT MATTER

120
121 The subject patent application includes independent claims 1, 16
122 and 24, and the remaining claims ultimately depend from and

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123 include all of the limitations of one of the independent claims.
124 Claim 1 recites a method embodying the present invention, claim
125 16 recites a medium embodying the present invention and claim 24
126 recites a network embodying the present invention. A concise
127 explanation of the claimed subject matter is defined in each of
128 the independent claims 1, 16 and 24, which, along with exemplary
129 specification and drawing references, is set forth below.

130
131 1. A method for extracting identification information from a
132 software package (*e.g., inter alia, Figure 5 and Page 11, line*
133 *22, to page 12, line 23*), said software package including a
134 number of executable software modules (*Figure 6, Program Modules*
135 *601, page 12 line 25 to page 13, line 26 and 814 Figure 8*)
136 organized in a manner (*e.g., inter alia, Linked Program Modules*
137 *603, Figure 6*) determined by said identification information
138 (*e.g., inter alia, Figure 5*), said method comprising:

139
140 determining an organization of said executable software modules
141 within said software package (*e.g., inter alia, 811, 813 and 814*
142 *Figure 8*); and

143
144 extracting (*e.g., inter alia, 815 Figure 8*) said identification
145 information (*e.g., inter alia, Figure 5 and 605 Figure 6*) from
146 said organization of said executable software modules (*e.g.,*
147 *inter alia, 603 Figure 6*) within said software package.

148
149 To the combination set forth in claim 1, claim 2 adds the
150 recitation that the "executable modules are coupled together

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151 (e.g., *inter alia*, 603 Figure 6) in a manner representative of
152 said identification information (e.g., *inter alia*, Figure 5 and
153 605 Figure 6).

154
155 To the combination set forth in claim 2, claim 3 adds the
156 recitation that said executable software modules are coupled
157 together by compiling (e.g., *inter alia*, p9, 127 et seq., p10,
158 127 & 32 et seq., & p11, 17 et seq.) said software modules into
159 an executable form of said software package.

160
161 To the combination set forth in claim 2, claim 4 adds the
162 recitation that said executable software modules are coupled
163 together by linking (e.g., *inter alia*, Abstract, line 15; p9,
164 line 27, 31; p10, line 32; p11, 7; p12, lines 7, 19 and 22 et
165 seq.) said executable software modules into an executable form of
166 said software package.

167
168 To the combination set forth in claim 1, claim 5 adds the
169 recitations of analyzing said software package to determine an
170 organizational relationship among said executable software
171 modules; and determining a binary series (e.g., *inter alia*,
172 Abstract lines 11-13; p3, line 16 et seq.; p11, line 16 et seq.;
173 p11, line 31 et seq.) from said organizational relationship of
174 said executable software modules.

175
176 To the combination set forth in claim 1, claim 6 adds the
177 recitation of transmitting said software package over a network
178 (e.g., *inter alia*, Abstract line 16 et seq.) to a requesting

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179 terminal, said requesting terminal being enabled to extract said
180 identification information from said organization of said
181 executable software modules of said software package.

182
183 To the combination set forth in claim 6, claim 7 adds the
184 recitation that said software package is transmitted from a user
185 terminal over an Internet network (*e.g., inter alia, p2, lines*
186 *15, 29; Figure 4, 405*) to a server (*e.g. inter alia, Figure 4,*
187 *407*).

188
189 To the combination set forth in claim 6, claim 8 adds the
190 recitation that said user terminal is a wireless device (*e.g.,*
191 *inter alia, p5, line 22 et seq.*).

192
193 To the combination set forth in claim 6, claim 9 adds the
194 recitation that said user terminal is a personal computer system
195 (*e.g., inter alia, p5, line 22 et seq.*).

196
197 To the combination set forth in claim 1, claim 10 adds the
198 recitation that said identification information includes an
199 identification of a user (*e.g., inter alia, p13, line 21 et seq.*)
200 of said software package.

201
202 To the combination set forth in claim 1, claim 11 adds the
203 recitation that said identification information includes an
204 identifying number (*e.g., inter alia, p13, line 21 et seq.*)
205 related to said software package.

206

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207 To the combination set forth in claim 11, claim 12 adds the
208 recitation that said identification information further includes
209 an identification of a user (e.g., *inter alia*, p13, line 20 et
210 seq.) of said software package.

211
212 To the combination set forth in claim 1, claim 13 adds the
213 recitation that said executable software modules are organized in
214 a series of sets (e.g., *inter alia*, p13, line 27 et seq.) of
215 executable software modules, each of said sets comprising a
216 predetermined number of executable software modules.

217
218 To the combination set forth in claim 13, claim 14 adds the
219 recitation that said series of sets corresponds to a binary
220 series, (e.g., *inter alia*, Abstract lines 11-13; p3, line 16 et
221 seq.; p11, line 16 et seq.; p11, line 31 et seq.) and each of
222 said sets comprises first and second executable software modules,
223 said binary series being determined in accordance with a sequence
224 of said first and second executable software modules within said
225 sets of said executable software modules.

226
227 To the combination set forth in claim 13, claim 15 adds the
228 recitation that said series of sets is organized in other than a
229 binary format (e.g., *inter alia*, p9, line 1 et seq.; p11, line 24
230 et seq.), each of said sets comprising a number of said
231 executable software modules other than two, said identification
232 information being determined according to an order in which said
233 number of executable software modules are sequenced within said
234 sets of executable software modules.

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235

236 The drawing and specification references of independent claim 16
237 correspond to the similar elements as identified above for
238 independent claim 1.

239

240 16. A medium including machine readable coded indicia, said
241 machine readable coded indicia being selectively operable in
242 combination with a processing circuit for extracting embedded
243 identification information from a software package (e.g., *inter*
244 *alia*, *Figure 5 and Page 11, line 22, to page 12, line 23*), by
245 determining an organization of executable software modules
246 (*Figure 6, Program Modules 601, page 12 line 25 to page 13, line*
247 *26 and 814 Figure 8*) within said software package, wherein
248 relationships between said executable software modules (e.g.,
249 *inter alia*, *Linked Program Modules 603, Figure 6*) are
250 representative of said identification information (e.g., *inter*
251 *alia*, *Figure 5*), embedded within said software package.

252

253 To the combination set forth in claim 16, claim 17 adds the
254 recitation that said medium is an optically encoded disk (e.g.,
255 *inter alia*, *222 Figure 2*).

256

257 To the combination set forth in claim 16, claim 18 adds the
258 recitation that said medium is a magnetically encoded magnetic
259 diskette (e.g., *inter alia*, *219 Figure 2*).

260

261 To the combination set forth in claim 16, claim 19 adds the
262 recitation that said software package resides on a storage device

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263 (e.g., *inter alia*, 218 Figure 2) within a computer device.
264
265 To the combination set forth in claim 16, claim 20 adds the
266 recitation that the software package resides on a memory device
267 (e.g., *inter alia*, 207 Figure 2) within a computer device.
268
269 To the combination set forth in claim 16, claim 21 adds the
270 recitation that said embedded identification information includes
271 an identification of a user (e.g., *inter alia*, p13, line 20 et
272 seq.) of said software package.
273
274 To the combination set forth in claim 16, claim 22 adds the
275 recitation that said embedded identification information includes
276 an identifying number (e.g., *inter alia*, p13, line 21 et seq.)
277 related to said software package.
278
279 To the combination set forth in claim 22, claim 23 adds the
280 recitation that said embedded identification information further
281 includes an identification of a user (e.g., *inter alia*, p13, line
282 20 et seq.) of said software package.
283
284 The drawing and specification references of independent claim 24
285 correspond to the similar elements as identified above for
286 independent claims 1 and 16.
287
288 24. A network arranged to enable extracting of organizational
289 information of an organization of executable software modules
290 (Figure 6, Program Modules 601, page 12 line 25 to page 13, line

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291 26 and 814 Figure 8) within a software package (e.g., *inter alia*,
292 Figure 5 and Page 11, line 22, to page 12, line 23), at a user
293 terminal and transferring said organizational information to a
294 server for use in deriving identification information embedded
295 within said organizational information, said network comprising:
296
297 a user terminal (e.g., *inter alia*, 401, Figure 4) at which said
298 software package resides;
299
300 a server (e.g., *inter alia*, 407, Figure 4); and
301
302 an interconnection (e.g., *inter alia*, 403 and 405, Figure 4)
303 between said server and said user terminal, said user terminal
304 being responsive to a request to upload said organizational
305 information of said software package for determining said
306 organizational information and transferring said organizational
307 information to said server (e.g., *inter alia*, 811 and 813 Figure
308 8).

309
310 **GROUND OF REJECTION TO BE REVIEWED ON APPEAL**
311

312 I. Claims 1-3, 5-13 and 16-24 were rejected under 35 USC 103(a)
313 as being unpatentable over Misra (U.S. Patent 6,189,146 B1) in
314 view of Kobus (U.S. Patent 4,864,494);
315

316 II. Claims 4 and 15 were rejected under 35 USC 103(a) as being
317 unpatentable over Misra in view of Kobus, and still in further
318 view of Doherty et al (U.S. Patent 6,920,567 B1); and

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319
320 **III.** Claim 14 was rejected under 35 USC 103(a) as being
321 unpatentable over Misra in view of Kobus, and still in further
322 view of Nabahi (U.S. Patent 6,006,035).
323
324

325 **ARGUMENT**
326

327 I. With regard to the rejection of claims 1-3, 5-13 and 16-
328 24 under 35 USC 103(a) as being unpatentable over Misra in view
329 of Kobus, it is noted that the present invention provides a means
330 by which software identification information, such as a user name
331 or software package serial number, is extracted from a software
332 package by determining the manner in which executable software
333 modules are organized in the software package. With the present
334 invention, user identification or the serial number
335 identification, for example, of a particular software package,
336 may be ascertained by the manner in which the software package
337 executable modules are arranged. In one example, the
338 identification information is represented in binary format, i.e.
339 a series of "1's" and "0s", and that identification information
340 is applied to the sequencing of executable software modules in a
341 software package such that one sequence of executable software
342 modules represents a binary "one" while another sequence of
343 executable software modules represents a binary "zero". Thus by
344 determining the relative sequencing of the executable software
345 modules (rather than, for example, accessing a data file), one is
346 enabled to re-assemble the binary identification information

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347 which is embedded into the software package and determine, for
348 example, the licensed owner of the software package and/or the
349 serial number of the software package. Formats other than a
350 binary format may also be implemented.

351
352 As stated in applicant's specification, "instead of including
353 user information in a separate code segment of the download, the
354 transaction information is included in the structure or
355 organization of the downloaded code or data. Every software
356 package consists of code blocks, data areas, subroutines, methods
357 and other such subcomponents. After a requesting user has
358 furnished the requested information and agreed to the terms of a
359 license agreement, the website will compile and link the various
360 components of the software package together to form an executable
361 module which is then downloaded to the user. Normally, when the
362 various components of the software package are linked together to
363 form the executable module, the exact order of placement or
364 sequence of the components is usually not critical for the proper
365 execution of the software. In accordance with the present
366 invention however, the ordering and/or sequence of those
367 components and/or sub-components is used to encode selected
368 transaction information such that this encoded information can
369 later be extracted from the licensed software and copies of the
370 licensed software in the downloaded executable form. Thus, the
371 ordering or sequence of the software package components is used
372 to encode a serial number for the licensed software package as
373 well as other useful information. The embedded information can be
374 checked at a later time to determine if the software or data have

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375 been tampered with or if the usage pattern leads to suspicions
376 about illegal copying. The embedded information can then be used
377 to track down the source of the illegal copies".

378
379 With specific regard to the rejection of to the rejection of
380 claims 1-3, 5-13 and 16-24 under 35 USC 103(a) as being
381 unpatentable over Misra in view of Kobus,, it is noted that Misra
382 discloses a software licensing system which includes a license
383 generator located at a licensing clearinghouse and at least one
384 license server and multiple clients located at a company or
385 entity. To prevent a license pack from being copied and installed
386 on multiple license servers, the license generator assigns a
387 unique license pack ID with the particular license server in a
388 master license database kept at the licensing clearinghouse. To
389 prevent an issued license from being copied from one client
390 machine to another, the software license is assigned to a
391 specific client by including a client ID within the license, i.e.
392 the identity of the client **is typed** into the license agreement.
393 The software license also has a license ID that is associated
394 with the client ID in a database record kept at the license
395 server. There is no mention or suggestion anywhere in Misra of
396 **extracting ID information by determining an organization of the**
397 **executable software modules within a software package.**

398
399 To support the allegation that Misra anticipated the present
400 invention, specifically to support the alleged anticipation of
401 the claim language "**determining an organization of said software**
402 **modules** within said software package"(emphasis added), the

403 Examiner had cited column 6, lines 25-35 of Misra in which the
404 following language appears: "The certifying authority performs a
405 verification analysis of the **organization** to verify that it is a
406 real entity and that the identification information is true and
407 accurate" (emphasis added). In the cited Misra reference, just
408 above the quoted reference, in column 6 line 31, it is stated
409 that "The entity or **organization** that owns, or is responsible
410 for, the license server 28 registers itself with an independent
411 certifying authority that is trusted by both the **organization** and
412 the clearinghouse" (emphasis added).

413
414 It is submitted that an "**organization**", meaning a company,
415 corporation or other entity, does not and cannot suggest in any
416 possible way the use of the "**organization**" (or arrangement) of
417 executable software modules in a software package.

418
419 Although a word search for the word "organization" apparently
420 returned the Misra reference, the resulting Misra reference was
421 applied without due consideration of the different contexts and
422 meanings for the word "organization". The cited Misra reference
423 and the present application use two different meanings for the
424 word "organization" and one has nothing to do with the other,
425 much less does Misra's use of the word "organization" (e.g. a
426 corporate entity) provide any basis which could possibly be used
427 to render obvious the use of the "**organization**" (e.g. an
428 arrangement or sequence) of executable software modules to
429 extract information, such as user ID or program serial number,
430 from a software program.

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431
432 In another language reference to Misra which is relied upon in
433 citing Misra as using the term "organization", column 12, lines
434 13-15 of Misra states that "The licenses are **organized** in the
435 license cache 136 according to information about the license
436 issuing authority and product ID (emphasis added)". This language
437 in Misra clearly refers to listing licenses in a cache by issuing
438 authority i.e. all from one authority get listed together before
439 those from another authority. Listing licenses in a database or
440 cache by entities, either alphabetically or otherwise, has
441 nothing to do with organizing or **arranging executable software**
442 **modules** in a software package to embed information about the
443 software package whereby such information can be extracted by
444 analysis of the order or sequence of the executable modules
445 within the software package as is claimed by the applicant.
446

447 Misra does not extract software package identification
448 information from the manner in which **executable** software modules
449 in the software package are arranged or organized. With the
450 present invention, **the arrangement of executable software modules**
451 **within the software package contains the information needed to**
452 **re-assemble the user identification information** of the software
453 package. Misra, instead, maintains the software ID information in
454 a database (Abstract, 2:40, 2:50, 3:19, etc.) and **not in an**
455 **arrangement of the executable software modules** in a software
456 package. Thus, it is submitted that the Misra reference fails as
457 a reference for disclosing or even suggesting the extraction of
458 information from the mere **organization** or arrangement of
459 executable software modules in a software program.

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460
461 The Kobus reference is similar to Misra in that there is no
462 teaching or even suggestion for determining an organization of
463 executable software modules within a software package and
464 extracting identification information from the organization of
465 executable software modules within the software package, as is
466 clearly recited in all of the pending independent claims 1, 16
467 and 24. Kobus, which was cited for the first time in the Final
468 Office Action mailed 4/6/2006, discloses a system that includes
469 an encrypted security message uniquely encoded at predetermined
470 locations within a software or program function. The software
471 includes pre-set errors to cause failure of execution of the
472 function unless the errors are nulled during the operation of the
473 program. Kobus nowhere even suggests **determining an organization**
474 **of executable software modules within a software package and**
475 **extracting identification information from the organization of**
476 **the executable software modules within said software package as**
477 **is clearly stated in the independent claims 1, 16 and 24.**
478
479 Further, it is submitted that there is no suggestion in either
480 reference for the hypothetical combination of Misra and Kobus
481 since each reference accomplishes a different function in a
482 different manner. i.e. Misra teaches the maintenance of a client
483 identification in a database while Kobus teaches a method of
484 preventing an operation of a software program without first
485 removing errors which are pre-set into the program. Neither
486 reference either teaches or even suggests extracting information
487 from the arrangement or organization of executable modules within

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488 a software package as is clearly recited in all of the
489 independent claims and also, through dependence, in the dependent
490 claims as well.

491
492 Thus, it is submitted that there is no basis in either reference
493 for the hypothetical combination of Misra and Kobus and further,
494 that since neither Misra nor Kobus either discloses or suggests
495 determining an organization of executable software modules within
496 a software package and extracting identification information from
497 the organization of the executable software modules within said
498 software package, it is submitted that even the hypothetical
499 combination of Misra and Kobus fails to render the present
500 invention as stated in the pending independent claims 1, 16 and
501 24 and related dependent claims 2-3, 5-13 and 17-23 obvious under
502 35 USC 103(a).

503
504 **II.** With regard to the rejection of claims 4 and 15 under 35 USC
505 103(a) as being unpatentable over Misra in view of Kobus and in
506 still further view of Doherty, it is noted that claims 4 and 15
507 are dependent from, and include all of the limitations of claim 1
508 as well as the further limitations of the intermediate dependent
509 claims. Doherty also maintains ID information in a database and
510 **not embedded in the software package by the manner in which the**
511 **executable modules of the software package are organized as**
512 claimed by the applicant. Doherty discloses a digital content
513 file (DCF) including a license control mechanism controlling the
514 licensed use of digital content and a system and method for
515 distributing licensable digital content files and licenses. The

516 file access control mechanism includes a license monitor and
517 control mechanism communicating with a dynamic license database
518 and controlling use of the digital content and a license control
519 utility providing communications between a user system and an
520 external system to communicate license definition information and
521 includes a graphical user interface. The license information of
522 Doherty may be stored initially in the dynamic license database
523 or provided from an external system. **With the present invention,**
524 **the license information is embedded in the arrangement of the**
525 **executable software modules** of the software package not in a
526 dynamic license database or provided from an external system as
527 specified in Doherty. Thus, since neither Misra, nor Kobus nor
528 Doherty, or even a hypothetical combination of all three
529 references, shows or even suggests extracting information by
530 determining an organization of the executable software modules
531 within a software package as is disclosed and claimed by the
532 applicant, it is submitted that claims 4 and 15 are allowable
533 under 35 USC 103(a) over even the hypothetical combination of
534 Misra, Kobus and Doherty.

535

536 **III.** With regard to the rejection of claim 14 under 35 USC 103(a)
537 as being unpatentable over Misra in view of Kobus and in still
538 further view of Nabahi, it is noted that Nabahi was cited against
539 dependent claims merely to allegedly show the use of a binary
540 format. Applicant notes that Nabahi discloses neither the use of
541 a binary format as used by the applicant, nor the use of
542 extracted binary formatted organizational information to
543 determine identification information associated with a software

package. Thus, since neither Misra, nor Kobus nor Nabahi, or even a hypothetical combination of all three references, shows or even suggests extracting information by determining an organization of the executable software modules within a software package as is disclosed and claimed by the applicant, it is submitted that claim 14 is allowable under 35 USC 103(a) over even the hypothetical combination of Misra, Kobus and Nabahi.

CONCLUSION

For the reasons stated above, applicant urges the Board to conclude that the rejections of claims 1-3, 5-13 and 16-24 under 35 USC 103(a) as being unpatentable over Misra in view of Kobus, and the rejections of claims 4 and 15 under 35 USC 103(a) as being unpatentable over Misra in view of Kobus, and still in further view of Doherty et al, and the rejection of claim 14 under 35 USC 103(a) as being unpatentable over Misra in view of Kobus, and still in further view of Nabahi, are not well-founded and should be reversed.

Please charge IBM Corporation Deposit Account No. 09-0447 in the amount of \$500.00 for submission of a Brief in Support of Appeal. No additional fee or extension of time is believed to be required; however, in the event an additional fee or extension of time is required, please charge the fee, as well as any other fee necessary to further the prosecution of this application, to the above-identified deposit account.

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572

573 Respectfully submitted,

574

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576

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Attorney Docket No. AUS920010938US1

CLAIMS APPENDIX

1. A method for extracting identification information from a software package, said software package including a number of executable software modules organized in a manner determined by said identification information, said method comprising:
- determining an organization of said executable software modules within said software package; and
- extracting said identification information from said organization of said executable software modules within said software package.
2. The method as set forth in claim 1 wherein said executable software modules are coupled together in a manner representative of said identification information.
3. The method as set forth in claim 2 wherein said executable software modules are coupled together by compiling said software modules into an executable form of said software package.
4. The method as set forth in claim 2 wherein said executable software modules are coupled together by linking said executable software modules into an executable form of said software package.
5. The method as set forth in claim 1 and further including:
- analyzing said software package to determine an organizational

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611 relationship among said executable software modules; and
612
613 determining a binary series from said organizational relationship
614 of said executable software modules.
615
616 6. The method as set forth in claim 1 and further including
617 transmitting said software package over a network to a requesting
618 terminal, said requesting terminal being enabled to extract said
619 identification information from said organization of said
620 executable software modules of said software package.
621
622 7. The method as set forth in claim 6 wherein said software
623 package is transmitted from a user terminal over an Internet
624 network to a server.
625
626 8. The method as set forth in claim 6 wherein said user terminal
627 is a wireless device.
628
629 9. The method as set forth in claim 6 wherein said user terminal
630 is a personal computer system.
631
632 10. The method as set forth in claim 1 wherein said
633 identification information includes an identification of a user
634 of said software package.
635
636 11. The method as set forth in claim 1 wherein said
637 identification information includes an identifying number related
638 to said software package.

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639
640 12. The method as set forth in claim 11 wherein said
641 identification information further includes an identification of
642 a user of said software package.
643
644 13. The method as set forth in claim 1 wherein said executable
645 software modules are organized in a series of sets of executable
646 software modules, each of said sets comprising a predetermined
647 number of executable software modules.
648
649 14. The method as set forth in claim 13 wherein said series of
650 sets corresponds to a binary series, and each of said sets
651 comprises first and second executable software modules, said
652 binary series being determined in accordance with a sequence of
653 said first and second executable software modules within said
654 sets of said executable software modules.
655
656 15. The method as set forth in claim 13 wherein said series of
657 sets is organized in other than a binary format, each of said
658 sets comprising a number of said executable software modules
659 other than two, said identification information being determined
660 according to an order in which said number of executable software
661 modules are sequenced within said sets of executable software
662 modules.
663
664 16. A medium including machine readable coded indicia, said
665 machine readable coded indicia being selectively operable in
666 combination with a processing circuit for extracting embedded

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667 identification information from a software package by determining
668 an organization of executable software modules within said
669 software package, wherein relationships between said executable
670 software modules are representative of said identification
671 information embedded within said software package.

672
673 17. The medium as set forth in claim 16 wherein said medium is an
674 optically encoded disk.

675
676 18. The medium as set forth in claim 16 wherein said medium is a
677 magnetically encoded magnetic diskette.

678
679 19. The medium as set forth in claim 16 wherein said software
680 package resides on a storage device within a computer device.

681
682 20. The medium as set forth in claim 16 wherein software package
683 resides on a memory device within a computer device.

684
685 21. The medium as set forth in claim 16 wherein said embedded
686 identification information includes an identification of a user
687 of said software package.

688
689 22. The medium as set forth in claim 16 wherein said embedded
690 identification information includes an identifying number related
691 to said software package.

692
693 23. The medium as set forth in claim 22 wherein said embedded
694 identification information further includes an identification of

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695 a user of said software package.

696

697 24. A network arranged to enable extracting of organizational
698 information of an organization of executable software modules
699 within a software package at a user terminal and transferring
700 said organizational information to a server for use in deriving
701 identification information embedded within said organizational
702 information, said network comprising:

703

704 a user terminal at which said software package resides;

705

706 a server; and

707

708 an interconnection between said server and said user terminal,
709 said user terminal being responsive to a request to upload said
710 organizational information of said software package for
711 determining said organizational information and transferring said
712 organizational information to said server.

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713

EVIDENCE APPENDIX

714

715 There are no items in this Appendix.

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716

RELATED PROCEEDINGS APPENDIX

717

718 There are no items in this Appendix.

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